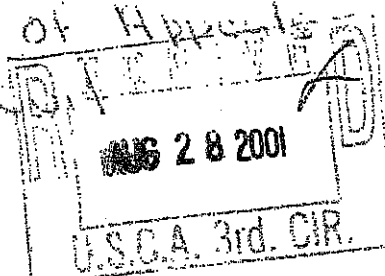


ORIS

In the United States Court of Appeals  
For the Third Circuit



FILED  
HARRISBURG, PA

AUG 28 2001

MARY E. D'ANDREA, CLERK  
Per *[Signature]*  
Deputy Clerk

Douglas Henry Thornton / Appellant  
Reg No# 37461-118 540 213  
United States Penitentiary Mifflinwood  
P.O. Box 3000  
White Deer, Pennsylvania 17061

100-00-1590

Vs.

Notice of Appeal.

No. ~~01-2802~~

Lindsey et. al. / Appellee

01-2802

motion Notice

Amended Notice of Appeal  
Rule 4, App P

On August 2, 2001, the Original Notice of Appeal of this action was stayed by order of the Clerk of the Third Circuit Court of Appeals. Pending disposition of a timely post-decision motion of type pending in the district Court that is pending disposition. Type of motion reconsideration of district Court order of June 22, 2001 dismissing said Civil Complaint case No# 100-00-1590 Thornton v Lindsey et al.

Certified from the record  
Date *8/29/01*

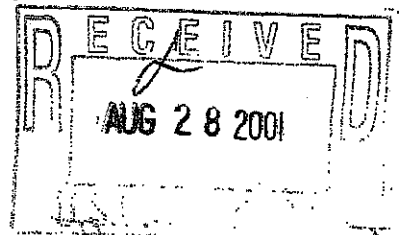
Mary E. D'Andrea, Clerk

Per *[Signature]*  
Deputy Clerk

1. District Court states in its June 22, 2001 order stating that the Plaintiff did not exhaust

8-27-2001

*[Signature]*



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because I did not file a supporting brief. The notice I filed the Notice of Appeal and my reason for filing an appeal in this matter was mentioned within the notice.

3. The Plaintiff/Appellant is a Federal Prisoner of the United States Penitentiary, Muncie, Indiana. Appellant has been locked up in the Special Housing Unit at the Muncie Prison for more than a month now. The Appellant has been told that he is going to be released in about 10 months. He has been told that he can use the Unit Law Library. The Appellant did not have a copy of the Rules of the United States District Court of Middle Tennessee. Appellant has been told to use the Unit Law Library and to go to the Unit Law Library. There is a Unit Law Library at the District Court in the Unit Law Library.

4. The original Notice of Appeal states all the reasons why the Plaintiff filed this appeal. Appellant has been told that the notice has been filed. Appellant has been told that the notice has been filed. Appellant has been told that the notice has been filed.

5. Even though the Plaintiff/Appellant did not attach some of the administrative records to this matter and attached them to the Complaint. The Plaintiff/Appellant did not attach them to the Complaint. The Plaintiff/Appellant did not attach them to the Complaint.

Respectfully Submitted,

OR/G

In the united States District Court For the  
middle District of Pennsylvania

Douglas Henry Thornton  
Plaintiff

Vs.

Associate Warden Lindsey,  
et al.  
Defendants.

Civil No. 1:CV-00-1590

FILED Judge Kane

HARRISBURG, PA

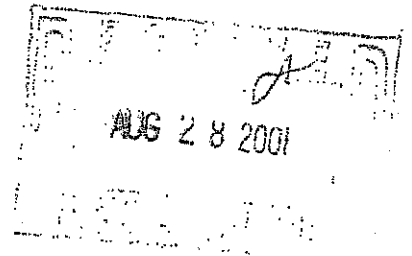
Aug  
SEP 28 2001

MARY E. D'ANDREA, CLERK

Motion for Reconsideration  
of Court Order to Dismiss

Comes now the said Plaintiff, Douglas H. Thornton, and  
motion this Court for leave to file this motion for  
reconsideration of its June 22, 2001 order dismissing this  
action without prejudice and to grant the same for the  
following reason.

1. That the Plaintiff, Douglas H. Thornton Did file and  
exhaust all available administrative remedies prior to  
initiating this Title 42, U.S.C. Section 1331. That copies  
of the remedies was mailed along with this Complaint  
or their administrative remedy receipts. Any administrative  
remedies that this Court did not receive was lost or removed  
from my Complaint, or answer to by BOP officials.
2. The Federal Bureau of Prison administrative remedies  
Title 42, U.S.C. do not allow ~~monetary~~ monetary damages to inmates.



From: Douglas H. Thornton  
Reg No# 37461-118-540-208  
USP-Allenwood Pa 17887.

Date: July 25, 2001

To: Mr. Coffee,  
Education Supervisor  
USP-Allenwood Pa 17887

Sir,

I have on going legal action in the Federal Courts.  
I am in need of 5. Five United States Marshals Service Form  
USM-285.

2. There's no typewriter in the Special housing Unit Law Libra  
What is the prachue for inmates in the Special housing Unit  
Follow in order to get ~~5~~ Copies made. etc.  
(Send your legal documents in your request to the  
Law Library.)

*Douglas H. Thornton*

As for the Typewriter, contact  
Mr. Apker the Associate Warden.

c.e.

7  
AUG 28 2001

## Certificate of Service and Prisoner mailing

Douglas H. Thornton  
Reg No# 37464-118 SHU 213  
United States Penitentiary Allenwood  
P.O. Box 3500  
White Deer Pa 17887

Appeal Notice  
No# 01-2802

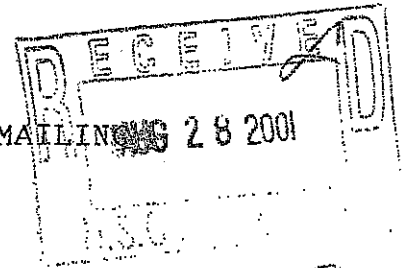
v.

Lindsey et al.  
Appellee.

Douglas Henry Thornton being duly Sworn according to  
law, hereby depose and say On the 27 of August, 2001  
I placed one Copy of ~~the~~ Amended Notice of Appeal  
~~there~~ in an envelope addressed to the office of  
the Clerk United State District Court Middle  
district of Pennsylvania 228 Walnut St P.O. Box  
Harrisburg Pa 17100. And two copies to United  
States Court of Appeals for the Third Circuit, and  
Attorney office.

I then affixed sufficient postage to cover first  
class U.S. mail delivery and placed the in  
prison legal mail box here at USP Allenwood

CERTIFICATE OF SERVICE AND PRISONER MAILING 28 2001



01-2802

I, Douglas Henry Thornton, being duly sworn according to law, hereby depose and say:

1. I am a prisoner at USP Allenwood, White Deer, PA.

2. On the 27 day of August, 2001, I placed one copies of the attached pleading(s) in an envelope addressed to the following party/

parties: Amended Notice of Appeal No. 01-2802  
Joseph J. Terz Assistant U.S. Attorney

Michelle E. Lincalis

316 Federal Building

240 West Third St

Williamsport, PA 17703

3. I then affixed sufficient postage to cover first-class U.S. Mail delivery, and placed the package in the box reserved for inmate Legal Mail here at USP Allenwood on August 27, 2001, 2001.

SIGN UNDER THE PAIN OF PERJURY ON THIS 27 DAY

OF August, 2001.

SS Douglas H. Thornton

Reg. No. 37461-118 SWU-2

USP Allenwood

P.O. Box 3000

White Deer, PA 17887

OFFICE OF THE CLERK

MARCIA M. WALDRON  
CLERK

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

TELEPHONE  
215-597-2995

September 7, 2001

Ms. Mary E. D'Andrea, Clerk  
228 Walnut Street, Room 1060  
Harrisburg, PA 17108

Re: Thornton v. Lindsey, et al.  
(Civil Action No. 01-2802)

Dear Ms. D'Andrea:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, we are forwarding the attached Amended notice of appeal which was apparently filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure.

These documents are being forwarded solely to protect the litigant's right to appeal. Upon receipt of these documents, kindly process the documents according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By:



Bradford A. Baldus  
Senior Legal Advisor to the Clerk

Enclosure

Page -2-

cc: Douglas Henry Thornton (w/out enclosure)  
USP Allenwood  
P.O. Box 3000  
White Deer, PA 17887